

**RECEIVED
CENTRAL FAX CENTER**

SEP 20 2006

Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office (Fax No.: 571-273-8300) on September 20, 2006. The communication includes 4 pages.

Signature of Sender:

Paul Vincent

Name of Sender:

PAUL VINCENT

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	LENHART, Klaus) Examiner:
Application No.:	10/511,294) GARCIA, E.
Filing Date:	October 15, 2004) Art Unit:
For:	ADJUSTABLE-LENGTH TUBE,) 3679
	ESPECIALLY FOR STICKS)
	(AS AMENDED))

Atty. Docket No.: 2502 0166US

**TRANSMITTAL LETTER IN RESPONSE TO
RESTRICTION/ELECTION REQUIREMENT**

Commissioner for Patents
Alexandria, VA 22313-1450
U.S.A.

Transmitted herewith is a response to a restriction/election requirement in the above identified application.

(X) No additional fee is required.

() The fee has been calculated as shown below:

S.N. 10/511,294 filed October 15, 2004
LENHART, Klaus

Atty. Docket: 2502 0166US

CLAIMS AS AMENDED

	Claims Remaining After Amendment		Highest Number Previously Paid For	Present Number Extra	Rate	FEE
Total claims	8	-	20	X	x\$ 50	0
Independent claims	1	-	3	X	x\$ 200	0
Multiple dependent claim added					+\$ 360	0
				TOTAL \$ 0		
() If small entity, then divide total fee by 2				SMALL ENTITY TOTAL \$ 0		

- () A Petition for Extension of time under 37 CFR 1.136(a)
- () Please charge Deposit Account Number 50-1030 in the amount of \$
for the Extension fee.
- (X) The Commissioner is hereby authorized to charge payment of fees
associated with this communication or credit any overpayment to Deposit
Account Number 50-1030.
- (X) Applicant believes that no extension of term is required. However, this
conditional petition is being made to provide for the possibility that
applicant has inadvertently overlooked the need for a petition and fee for
extension of time.
- () Return Postcard Receipt

Respectfully submitted

Paul Vincent

Dr. Paul Vincent

Reg. No. 37,461

September 20, 2005

Date

Dreiss, Fuhlendorf, Steimle & Becker
Patentanwälte
Postfach 10 37 62
D-70032 Stuttgart
Federal Republic of Germany
Telephone: ++49/711-24 89 38-0
Fax: ++49/711-24 89 38-99

**RECEIVED
CENTRAL FAX CENTER****SEP 20 2006****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	LENHART, Klaus) Examiner:
Application No.:	10/511,294) GARCIA, E.
Filing Date:	October 15, 2004) Art Unit:
For:	ADJUSTABLE-LENGTH TUBE,) 3679
	ESPECIALLY FOR STICKS)
	(AS AMENDED))

Atty. Docket No.: 2502 0166US**RESPONSE TO RESTRICTION ELECTION REQUIREMENT**

**Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
USA**

This communication is in response to the Restriction Election requirement in the subject patent application mailed August 24th, 2006. The Applicant hereby elects species I corresponding to figures 1 and 2. This election is made without traverse.

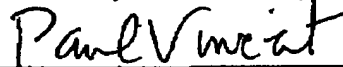
The Examiner has Indicated that claims 10 and 12 correspond to species I and claims 13 and 14 to species II and that claims 8, 9, 11 and 15 are generic. The Applicant respectfully disagrees. In fact, claims 8 through 11 are generic, claim 12 reads on species I and claim 13 reads on species II. Claims 14 and 15 are also both generic. The Applicant would like to direct the Examiner's attention to the translation of the PCT application filed with nationalization. Claims 1 through 7 of that PCT application correspond to

2

claims 8 through 15 of the instant application, wherein claims 8 and 9 of the current claims of record correspond to PCT claim 1 and remaining claims 10 through 15 correspond to PCT claims 2 through 7 respectively. These claims indicate the reference symbols of the figures. It is clear that all elements recited in these claims read on both the embodiments of figures 1, 2 and 3, 4 with the exception of claims 12 and 13. Review and acceptance is requested.

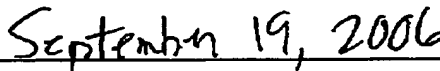
Having elected species I of figures 1 and 2, the Applicant requests examination of claim 12 as well as generic claims 8 through 11, 14 and 15.

Respectfully submitted,



Dr. Paul Vincent

Registration number 37,461



Date

Dreiss, Fuhlendorf, Steimle & Becker

Patentanwälte

Postfach 10 37 62

D-70032 Stuttgart, Germany

Telephone +49-711-24 89 38-0

Fax +49-711-24 89 38-99